



**UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

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EXAMINER	
ART UNIT	PAPER NUMBER
	7

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents.

(SEE ATTACHMENT)

Part III LETTER

Response to Amendment

1. The amendment to the claims 35 and 36 in the previous response, paper number 4, filed April 15, 1996, has been entered incorrectly because it does not comply with 37 C.F.R. § 1.121.
2. In response to the letter of Non-Responsive Amendment mailed July 19, 1996, the Applicant cancels claims 13-15, 20, **43 and 44**, adds **new claims 41, 42, 43 and 44** and amends claims 21, 37, 38, 39 and 40. However, the amendment to claims 39 and 40 also does not comply with 37 C.F.R. § 1.121(b).

NOTE: The rule 37 C.F.R. § 1.121(b):

The amendment to the claims should be made in accordance with 37 C.F.R. § 1.121(b) which states:

Except as otherwise provided herein, a particular claim may be amended only by directions to cancel or by rewriting such claim with underlining below the word or words added and brackets around the word or words deleted. The rewriting of a claim in this form will be construed as directing the cancellation of the original claim; however, the original claim number followed by the parenthetical word "amended" must be used for the rewritten claim. If a previously rewritten claim is rewritten, underlining and bracketing will be applied in reference to the previously rewritten claim with the parenthetical expression "twice amended", "three times amended", etc., following the original claim number.

3. It appears in the Applicant's remarks that the Applicant wants to cancel claims 35, 36 instead of newly added claims 43, 44. If so, in response to this letter, the Applicant should cancel claims 35, 36 and restates claims 43, 44. The Applicant should amend claims 39, 40 to comply with 37 C.F.R. § 1.121(b).

REMARKS: Claim 18 is dependent upon the cancelled claim 17. Thus the Applicant should amend the dependency of claim 18.

4. The communication filed on Aug. 12, 1996 is non-responsive to the prior Office action because the amendment to claims 35, 36, 39, 40 as well as 43 and 44 does not comply with 37 C.F.R. § 1.121. (See the above discussion.) Since the response appears to be *bona fide*, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is required to complete the response within a time limit of one month from the date of this letter or within the time remaining in the response period of the last Office action, whichever is the longer. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER EITHER 37 C.F.R. § 1.136(a) OR (b) BUT THE PERIOD FOR RESPONSE SET IN THE LAST OFFICE ACTION MAY BE EXTENDED UP TO A MAXIMUM OF SIX MONTHS.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy Mai whose telephone number is (703) 308-4874.

A handwritten signature in black ink, appearing to read 'Huy Mai', with a stylized, cursive script.

Huy Mai
Primary Examiner
Art Unit 2515

HM/
November 7, 1996